

PERMIT TERMS CONTINUED

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

Nº 46780

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... APR 4 1983

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... APR 4 1983 under 46779

The applicant..... Falcon Exploration, Everett E. Berg, Sole Owner

P.O. Box 847....., of Tonopah.....
Street and No. or P.O. Box No. City or Town

Nevada 89049....., hereby make S. application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is..... Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... 1.0 cfs..... second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for..... mining and milling
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated:.....

(b) Stockwater, state number and kinds of animals to be watered:.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: in the N½ of the NE ¼ of Section 33, T 3 N, R 38½ E, MDM, unsurveyed, at a point from which the Southwest survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
Corner of Section 31, T 3 N, R 39 E, MDM bears S 4° 43' 48" E a distance of 4640.1 feet.

6. Place of use..... in the N½ of the NE ¼ of Section 33, T 3 N, R 38½ E, MDM, unsurveyed, and in the NW ¼ of the NW ¼ of Section 31, T 3 N, R 39 E, MDM.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... 8" cased and drilled well, electric powered pump.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$10,000.00

10. Estimated time required to construct works..... 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 2 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This will provide a supplemental water supply. The total annual consumptive use of this well, and the primary water supply well will be 30.8 million cubic feet.

By s/Kenneth L. Haskew
 Kenneth L. Haskew, Agent
 P.O. Box 1209
 Tonopah, Nevada 89049

Compared..... js/bl..... dcb/br.....

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under this permit and Permit 40525 and 46779 shall not exceed 261.85 million gallons annually. (PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.0..... cubic feet per second, but not to exceed..... 235.9 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... October 16, 1985

Proof of completion of work shall be filed before..... November 16, 1985

Application of water to beneficial use shall be made on or before..... October 16, 1988

Proof of the application of water to beneficial use shall be filed on or before..... November 16, 1988

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS.....
 State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this..... 5th..... day of..... JANUARY.....

Cultural map filed.....

Certificate No..... Issued.....

A.D. 19 84

[Signature]
 State Engineer

218 (Rev.)

CANCELLED FEB 12 1988
 BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Signature]
 STATE ENGINEER